IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 604 OF 2006

M/s. Natwarlal Tarachand Vora.] .. Petitioners

Versus

1. Union of India & 2 ors.] .. Respondents

Ms. Indu Prashant i/b H.R. Shetty & Co. for the petitioners.

Mr. Y.R. Bhate for the respondents No.1 and 2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 16TH MARCH, 2006

P.C. :

. It is a case of the petitioner Smt. Madhuben Natvarlal Vora, Proprietress of M/s. Natvarlal Tarachand Vora that the property which is attached belongs to her and is in no way concerned with the Company by name M/s. NTV Multiwala Paper Bag Co. Pvt. Ltd. In fact, it is pointed out that the said company was wound up by an order of the Company Court dated 26th November, 1988 in Company Petition No. 672 of 1996. The order of the Company Court will indicate that the registered office of that company was the attached premises. That by itself, however, can be no ground to

hold that the premises belong to the company in liquidation.

2. Considering the above, in our opinion, the Petition can be disposed of by issuing the following directions:

(i) The petitioner to file a representation to the respondent No.2, who has issued the order of attachment, pointing out by supportive documents, evidence that she is the owner of the property and in these circumstances the attachment should be lifted.

(ii) If respondent No.2, on the material placed on record by the petitioner, arrives at the conclusion that in fact the property belongs to the petitioner herein and not to M/s. NTV Multiwala Paper Bag Co. Pvt. Ltd., then to raise the said attachment.

(iii) The entire exercise to be completed within eight (8) weeks of the petitioner

making a representation.

3. Writ Petition disposed of accordingly. There shall be no order as to costs.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]